

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:
BROADBAND OFFICE, INC.

Debtor.

C.A. No. 04-407 (GMS)

BROADBAND OFFICE, INC.,

Plaintiff,

Bankruptcy C.A. No. 01-1720 (GMS)
Chapter 11

v.

TECHNOLOGY CREDIT
CORPORATION d/b/a EXTREME
NETWORKS CREDIT CORPORATION,
and EXTREME NETWORKS, INC.,
and
KEY EQUIPMENT FINANCE, INC. f/k/a
KEY CORPORATE CAPITAL, INC. f/k/a
LEASTEC CORPORATION,

Defendants.

**DEFENDANT, KEY EQUIPMENT FINANCE INC.'S
MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 12 (b)(6), Defendant Key Equipment Finance Inc. f/k/a/ Key Corporate Capital, Inc. f/k/a Leastec Corporation ("Key") by its undersigned counsel, hereby moves that the Court dismiss Plaintiff's Complaint for failure to state a claim upon which relief can be granted.

The grounds for this motion are set forth in Defendant Key Equipment Finance Inc.'s Brief in Support of Its Motion to Dismiss, served and filed contemporaneously herewith.

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By: 

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Attorneys for Defendant
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Dated: January 31, 2005

CERTIFICATE OF SERVICE


I, Steven L. Caponi, Esquire, hereby certify that on January 31, 2006 I caused true and correct copies of Defendant Key Equipment Finance Inc.'s Motion To Dismiss to be served electronically on the following:

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